

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JEFFREY RODRIGUEZ,

Case No. 3:24-cv-00182-MMD-CLB

Petitioner,

ORDER

v.

JOHN HENLEY, *et al.*,

Respondents.

Before the Court is Petitioner Jeffrey Rodriguez's Motion for Discovery, in which Rodriguez requests a copy of his evidentiary hearing transcript from January 17, 2023. (ECF No. 19 ("Motion for Discovery").) After the filing of the Motion for Discovery, Respondents filed Rodriguez's entire state court record. (See ECF Nos. 21, 22, 23, 24.) The January 17, 2023, evidentiary hearing transcript was included in these records at exhibit 162. (ECF No. 24-12.) As such, Rodriguez's Motion for Discovery is moot.

Also before the Court is Respondents' Motion to File Under Seal. (ECF No. 25 ("Motion to Seal").) Respondents seek leave to file the following document under seal: Exhibit 58, Rodriguez's Presentence Investigation Report ("PSI") (ECF No. 26-1), dated August 13, 2014. (*Id.*) Under Nevada law, the PSI is "confidential and must not be made a part of any public record." NRS § 176.156(5). Having reviewed and considered the matter in accordance with *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), and its progeny, the Court finds that a compelling need to protect Rodriguez's safety, privacy, and/or personal identifying information outweighs the public interest in open access to court records.

It is therefore ordered that the Motion for Discovery (ECF No. 19) is denied as moot.

1 It is further ordered that the Motion to Seal (ECF No. 25) is granted. Exhibit 58  
2 (ECF No. 26-1) is considered properly filed under seal.

3 It is further ordered that Rodriguez has until February 27, 2025, to file his response  
4 to the Motion to Dismiss (ECF No. 28), but he may request additional time to do so if  
5 needed.

6 DATED THIS 13<sup>th</sup> Day of February 2025.

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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE  
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